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FISCAL IMPACT STATEMENT

LS 6239

BILL NUMBER: HB 1136

NOTE PREPARED: Feb 25, 2009

BILL AMENDED: Feb 23, 2009

SUBJECT: Testing of Special Education Students.

FIRST AUTHOR: Rep. Reske

FIRST SPONSOR: Sen. Lanane

BILL STATUS: As Passed House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Testing of Special Education Students*- The bill allows a student who is a child with a disability to participate in: (1) the ISTEP test; or (2) an alternate assessment approved by the state board and as determined by the student's case conference committee. The bill provides that the case conference committee for a student who is a child with a disability may determine that the student is eligible to graduate if the student: (1) passes an appropriate alternative assessment approved by the State Board of Education (SBOE); (2) maintains at least a 95% attendance rate; (3) maintains a "C" average or the equivalent; and (4) satisfies all other nonacademic state and local graduation requirements. The bill provides that a student who is a child with a disability may receive a certificate of completion if the student completes the goals set out in the student's individualized education program.

Study Committee- The bill requests the Legislative Council to create a study committee concerning special education rules and the placement of special education students during the 2009 legislative interim.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Testing of Special Education Students*- The SBOE could approve additional alternative assessments. However, any assessment would have to meet federal standards according to No Child Left Behind law. The current assessment used by the Department of Education (IDOE) is ISTAR.

(Revised) *Study Committee*- The impact of this provision would depend on Legislative Council action to either establish or not establish a study committee. During the prior interim, the Legislative Council permitted operating budgets of \$9,500 for committees less than 16 members and \$16,500 for committees with

16 or more members.

Explanation of State Revenues:

Explanation of Local Expenditures: *Testing of Special Education Students-* School corporations (via case conference committees for students with disabilities) would have additional flexibility by allowing students with disabilities to receive a diploma either through ISTEP passage or a SBOE approved alternate assessment, or to receive a certificate of completion without testing, via completion of the student's individual educational program.

Background-

ISTAR: The IDOE uses ISTAR as an alternative to ISTEP, with the stipulation it may be used on only 1% of special education students for federal AYP (Adequate Yearly Progress) purposes. A student's case conference committee determines if the ISTAR may be used as an alternative assessment in place of ISTEP for students with "a significant cognitive disability." Students designated as limited English proficient are allowed to take the ISTAR. ISTAR is provided to schools by the IDOE for free, except for minimal software upgrade charges.

Students with Disabilities: 178,045 students with disabilities were enrolled in public schools during the 2007-2008 school year. The following table illustrates the aggregate performance of students with disabilities who took the graduation examination during the fall of 2008.

2008 Special Education Graduation Examination Results.				
Special Education Category	Total Tested English	Percent Passing English	Total Tested Math	Percent Passing Math
With Accommodations	8,336	20%	9,185	24%
Without Accommodations	2,848	31%	1,999	37%
Total	11,184	23%	11,184	27%

During school year 2006-2007, about 4,961 students with disabilities graduated with a diploma and 1,055 were awarded a certificate.

Explanation of Local Revenues:

State Agencies Affected: State Board of Education.

Local Agencies Affected: Schools.

Information Sources: Paul Ash, Department of Education, Division of Exceptional Learners, Department of Education website: www.doe.state.in.us; *Alternative Achievement Standards for Students With the Most Significant Cognitive Disabilities*, U.S. Department of Education, August 2005; *Legislative Council*

Resolution 08-02 (Section 7).

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